

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

NANCY JONES, o/b/o
TONY JONES, a minor child,

Plaintiff,

v.

Case No. 05-C-366

JO ANNE B. BARNHART,
Commissioner of Social
Security Administration,

Defendant.

ORDER OF REMAND PURSUANT TO SENTENCE 4
OF SECTION 205 OF THE SOCIAL SECURITY ACT

This case is before the Court pursuant to a Joint Motion for Remand to the Commissioner for Further Action filed on August 3, 2005, based on an agreement by the parties that the case should be remanded to the Commissioner for further proceedings.

THEREFORE, IT IS HEREBY ORDERED that this matter is remanded to the Commissioner pursuant to Sentence 4 of Section 205 of the Social Security Act, 42 U.S.C. § 405(g).

Upon remand, the ALJ will be directed to clarify the nature and severity of the child claimant's impairment in intellectual functioning and determine whether the child claimant has any other severe physical or mental impairments, which result in additional and significant functional limitations. The ALJ will afford Plaintiff the opportunity to further supplement the record. The ALJ will be requested to obtain the assistance of a medical expert if required, to address the issue of the child claimant's adaptive functioning and whether his intellectual impairment meets or equals the

requirements of a listed impairment. The ALJ will proceed through the sequential evaluation process as needed to reach a decision.

NOW, THEREFORE, IT IS ORDERED, that the Joint Motion for Remand be granted.

IT IS ALSO ORDERED that the Clerk of the United States District Court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, this 4th day of August, 2005.

BY THE COURT:

/s Lynn Adelman

HONORABLE Lynn Adelman
United States Judge